

Attorney Docket No. 46963-DIV (71417)
U.S.S.N. 09/228,020
Filing date: January 11, 1999
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Examiner Notes

Applicants acknowledge with appreciation that the Examiner has indicated that endothelial progenitors which are CD34⁺, Flk-1⁺, and tie-2⁺ are free of the prior art, and have amended claims to recite these specific markers.

The Examiner has requested that Applicants amend claim 20 to recite "endothelial cell". Applicants have amended the claim as requested.

Additionally, the Examiner states that claim 34 should recite "CD34" rather than "CD-34"; Applicants believe the Examiner intended to refer to claim 43 which is canceled by this amendment.

CONCLUSION

Applicant submits that all claims are allowable as written and respectfully requests early favorable action by the Examiner. If the Examiner believes that a telephone conversation with Applicant's agent would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned agent of record.

Respectfully submitted,

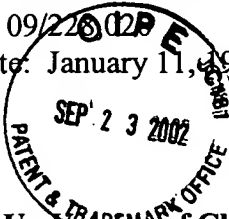
Date: September 17, 2002

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Marked-Up Version of Claims Showing Changes Made

20. (Amended) A pharmaceutical product comprising a nucleic acid encoding an endothelial cell mitogen and endothelial cell (EC) progenitors, in a physiologically acceptable administrable form, wherein the EC progenitors are CD34⁺, Flk-1⁺ and tie-2⁺.

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